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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/921,240	08/02/2001	Jason Wayne Wrape	00970	6011

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EXAMINER	
CHANKONG, DOHM	
ART UNIT	PAPER NUMBER
2152	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	12/27/2006	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	09/921,240	WRAPE, JASON WAYNE	
	Examiner	Art Unit	
	Dohm Chankong	2152	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *06 October 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1> This action is in response to Applicants request for continued examination. Claims 1, 10, 13 and 16 have been amended. Claims 1-20 are presented for further examination.

2> This is a non-final rejection.

Continued Examination Under 37 CFR 1.114

3> A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10.6.2006 has been entered.

Response to Arguments

4> Applicant's arguments with respect to claims 1-9 and 13-20 have been considered but are moot in view of the new ground(s) of rejection.

5> With respect to claim 10, Applicant's amendment does not overcome the Ashton reference. Applicant's arguments are not persuasive. Claim 10 is directed towards obtaining a *single* identifier for at least one permanent virtual connection and displaying the identifier. The new limitations are directed towards provisioning a source and destination identifier for

a new PVC wherein the source and destination identifier are different from the *displayed* identifier.

Applicant's remarks concerning Ashton suggest that the source and destination identifiers must be different from all assigned identifiers. However, as discussed above, the language of claim 10 does not mandate such an interpretation. Rather, as long as the prior art discloses that provisioned source and destination identifiers are different from a displayed identifier from one PVC, the prior art reads on the claim.

Applicant should amend claim 10 to include language consistent with Applicant's remarks. For example, Applicant asserts that "amended claim 10 specifies that a newly provisioned PVC has both a source identifier...and a destination identifier...which are both different from a displayed or *existing* DLCI" (emphasis added). Applicant's remarks, pg. 12, ¶2. The claim language does not disclose that the identifiers must be different from existing identifiers, as compared with the Applicant's claims 13 and 16.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6› Claims 13-14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

a. claim 13 is rejected for lacking proper antecedent basis: "the existing switch identifiers."

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7> Only those claims that have been amended are formally addressed in this action. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

8> Claims 1-7, 9 and 17-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ditmer et al, U.S Patent No. 6.490.620 ["Ditmer"], in view of Suzuki, U.S Patent No. 5.896.496, in further view of Ashton et al, U.S Patent No. 6.181.679 ["Ashton"].

9> Regarding claim 1, Ditmer discloses a method, computer software and apparatus (hereafter collectively referred to as "system") for remotely displaying network configuration information for a first network that comprises at least one virtual connection, wherein the virtual connection has an endpoint associated with an identifier and wherein a network management system communicates with the first network to store the identifier, the system comprising: a remote access module in communication with the network management system over a network connection via a second network to obtain the identifier, and for remotely displaying the identifier over an external third network (Ditmer teaches a

web based reporting downloadable module, which is loaded from a server to a client device, i.e., remote access module. Since the client device is able to load software module from the server, inherently they are coupled to each other. The client device is connected to a sever via public network, and capable of accessing a sever within MCI intranet network and retrieving information relating identifiers, connections or the like from the server to present to its client device using browser and applet. The client device with browser is capable of getting, setting and presenting PVC, e.g., obtaining and displaying link identifier. In addition, Ditmer's inventive concept supports heterogeneous networks, which includes Frame relay network. [See Fig.5, 12-13, Col.2, lines 28-67; Col.18, lines 10-44; Col.21, lines 15-44]).

Ditmer does not expressly disclose:

(a) displaying a plurality of assigned identifiers associated with a plurality of source-side PVCs of a single source logical port, wherein the plurality of assigned identifiers associated with a plurality of source-side PVCs are distinct from a plurality of assigned identifiers associated with a corresponding plurality of destination-side PVCs; and

(b) the network management system containing the identifier stored prior to the module communicating for the identifier.

10> With respect to (a), in the same field of invention Suzuki is directed towards permanent connection management. Suzuki discloses displaying a plurality of assigned identifiers associated with a plurality of source-side PVCs of a single source logical port [Figures 6, 7 : Figure 6 displays source-side identifiers (IN DCLI) for a single port 1],

wherein the plurality of assigned identifiers associated with a plurality of source-side PVCs are distinct from a plurality of assigned identifiers associated with a corresponding plurality of destination-side PVCs [Figures 6, 7 : Suzuki's "IN DLCI" are analogous to identifiers for source-side PVCs and "OUT DLCI" are analogous to identifiers for destination side PVCs; as shown in the figures, these identifiers are distinct from one another].

It would have been obvious to one of ordinary skill in the art to incorporate Sukuzi's PVC and DLCI management features into Ditmer's remote management system. Such a combination improves Ditmer's system by enabling a user to manage all PVCs associated with a port [see Suzuki, column 2 «lines 48-63» | column 7 «lines 32-36»].

11> With respect to (b), Ashton is directed towards network management system that centrally stores virtual connection information and is accessible by various network modules over multiple networks [Figure 1 | column 2 «line 64» to column 3 «line 16» | column 4 «line 66» to column 5 «line 3»]. Ashton's system is comparable to the network management system in Ditmer in that a user is enabled to retrieve virtual connection information, including identifiers, and provisioning these identifiers [see Ashton, column 3 «lines 10-43»].

Ashton expressly discloses a network management system containing the identifier stored prior to the module communicating for the identifier [column 3 «lines 1-9» | column 5 «lines 40-52» | column 7 «lines 24-32» where: the virtual connection information is stored as "vectors" at the network management system]. As discussed previously, Ditmer disclosed functionality of providing reports from the previous 45 days suggesting storing of the identifiers. Ashton explicitly discloses such functionality and provides further motivation to

modify Ditmer central management system to store the identifiers before they are requested such that it can efficiently manage the nodes within the networks [see Ashton, column 3 «lines 59-67»].

12› As to claims 2-7, 9 and 17-19, see previous Office action.

13› As to claim 13, Ditmer discloses a system for provisioning a data link connection identifier in a network upon request from a web browser, wherein the network comprises at least one virtual connection, and wherein the virtual connection has an endpoint associated with an identifier, the method comprising:

means for the network management system to collect switch identifiers in-band over the first network and from an out of band network using a network management protocol [column 2 «lines 28-39» | column 13 «lines 6-20» where : Ditmer discloses utilizing a reporting system specific to the customer's broadband network (first network) AND utilizing SNMP (out of band)].

means for querying the network management system with the network management module over the second network to obtain the existing identifiers[Fig.5, 12-13, Col.2, lines 28-67; column 14 «lines 33-42»]; and

means for displaying the identifier over the external third network using the network management module, wherein the network management module is a web site [column 2 «lines 9-27» : customer utilizes a web browser | column 21 «lines 35-45»].

Ditmer does not expressly disclose: (a) storing the identifier prior to the request from the web browser; (b) manually provisioning by a technician a source identifier and a destination identifier for a new virtual connection between two logical ports , wherein both the source identifier and the destination identifier differ from the displayed identifier. However see rejection of claim 1 above and 10 below.

Ditmer also does not disclose displaying existing switch identifiers. However, Suzuki discloses displaying all identifiers associated with a port [Figures 6 and 7 | column 7 «lines 32-61»]. It would have been obvious to one of ordinary skill in the art to incorporate Suzuki's PVC management unit into Ditmer's remote management system to enable a user to manage and assign valid outgoing and incoming DLCI values.

14› Regarding claim 16, Ditmer discloses a medium for provisioning a data link connection identifier in a network upon request from a web browser, wherein the network comprises at least one virtual connection, and wherein the virtual connection has an endpoint associated with an identifier, the method comprising:

connecting a network management module to a network management system that stores identifiers associated with endpoints of virtual connections of a first network over a second network to obtain the identifiers, wherein the network management module is capable of remotely displaying the identifiers in a web page over an external third network in response to a browser request [Fig.5, 12-13, Col.2, lines 9-67; Col.18, lines 10-44; Col.21, lines 15-44];

querying the network management system with the network management module over the second network for a list of identifiers related to a switch in the first network [Fig.5, 12-13, Col.2, lines 28-67; column 14 «lines 33-42»]; and

displaying the identifier over the external third network using the network management module [column 21 «lines 35-45»].

Ditmer does not expressly disclose: (a) storing the identifier prior to the request from the web browser nor does he disclose: (b) manually provisioning by a technician a source identifier and a destination identifier for a new virtual connection between two logical ports , wherein both the source identifier and the destination identifier differ from the displayed identifier. However see rejection of claim 1 above and 10 below.

Ditmer also does not disclose displaying existing switch identifiers. However, Suzuki discloses displaying all identifiers associated with a port [Figures 6 and 7 | column 7 «lines 32-61»]. It would have been obvious to one of ordinary skill in the art to incorporate Suzuki's PVC management unit into Ditmer's remote management system to enable a user to manage and assign valid outgoing and incoming DLCI values.

15> As to claims 14 and 15, see previous Office action.

16> Claims 10-12 and 20 are rejected under 35 U.S.C §103(a) as being unpatentable over Ditmer and Ashton.

17> As to claim 10, Ditmer discloses a method for provisioning a data link connection identifier in a network upon request from a web browser, wherein the network comprises at least one permanent virtual connection, and wherein the virtual connection has an endpoint associated with an identifier, the method comprising:

connecting a network management system to the first network, wherein the network management system stores the identifier [Fig.5, 12-13, Col.2, lines 28-67; Col.18, lines 10-44; Col.21, lines 15-44];

connecting a network management module to the network management system via a second network to obtain the identifier, wherein the network management module is capable of remotely displaying the identifier over an external third network [Fig.5, 12-13, Col.2, lines 28-67; Col.18, lines 10-44; Col.21, lines 15-44];

querying the network management system with the network management module over the second network [Fig.5, 12-13, Col.2, lines 28-67; column 14 «lines 33-42»];

displaying the identifier in a web page over the external third network using the network management module in response to the browser request, wherein the request contains at least one of a logical and physical port name, wherein further the web page comprises identifier information under column headings including at least "Source Switch", "Source Logical Port Name", "Source DLCI", "Source Service Type", "Destination Switch", "Destination Port", "Destination DLCI", "Destination Service Type" and a "Committed Information Rate" [column 21 «lines 28-45» : DLCI assigned to the A and B sides of the PVC, gateways (switches) assigned to the A and B sides & circuit (port) names assigned to the A and B sides | column 24 «line 55» | column 26 «lines 22-25»].

While Ditmer does not expressly disclose the headings in one table, Ditmer does disclose that the reports are customizable by the user [abstract : "ad-hoc report customization"]. Thus, the limitation of viewing various parameters of a port in one table is merely a matter of design choice and is not a feature that patentably distinguishes the claimed invention over the prior art.

Ditmer does not expressly disclose: (a) storing the identifier prior to the request from the web browser nor does he disclose: (b) manually provisioning by a technician a source identifier and a destination identifier for a new virtual connection between two logical ports , wherein both the source identifier and the destination identifier differ from the displayed identifier.

18› In regards to (a), see rejection of claim 1 in this action. In regards to (b), Ashton discloses provisioning a source identifier and a destination identifier for a new permanent virtual connection between two logical ports manually by a service technician, wherein both the source identifier and the destination identifier differ from the displayed identifier [Figure 2| column 4 «lines 17-22» | column 7 «line 47» to column 8 «line 12» where : Ashton provides alternate route provisioning where network management personnel define the route. In Figure 2, each of the PVCs, 220 & 223, 221 & 224 have different source and destination identifiers]. It would have been obvious to one of ordinary skill in the art to modify Ditmer's management system to incorporate Ashton's provisioning functionality. Such a combination would improve Ditmer by providing his system the capability of establishing alternate virtual connections at a node [see Ashton, column 3 «lines 33-43»].

19> As to claims 11, 12 and 20, see previous Office action.

20> Claims 13-16 are rejected under 35 U.S.C §103(a) as being unpatentable over Ditmer and Ashton, in further view of "Solving Frame Relay Problems", pgs. 1-14, http://www.stat.ufl.edu/system/man/portmaster/trouble/FRelay.fm.html ["frame relay document"].

21> As to claim 13, Ditmer discloses a system for provisioning a data link connection identifier in a network upon request from a web browser, wherein the network comprises at least one virtual connection, and wherein the virtual connection has an endpoint associated with an identifier, the method comprising:

means for the network management system to collect switch identifiers in-band over the first network and from an out of band network using a network management protocol [column 2 «lines 28-39» | column 13 «lines 6-20» where : Ditmer discloses utilizing a reporting system specific to the customer's broadband network (first network) AND utilizing SNMP (out of band)].

means for querying the network management system with the network management module over the second network to obtain the existing identifiers[Fig.5, 12-13, Col.2, lines 28-67; column 14 «lines 33-42»]; and

means for displaying the identifier over the external third network using the network management module, wherein the network management module is a web site [column 2 «lines 9-27» : customer utilizes a web browser | column 21 «lines 35-45»].

Ditmer does not expressly disclose: (a) storing the identifier prior to the request from the web browser; (b) manually provisioning by a technician a source identifier and a destination identifier for a new virtual connection between two logical ports , wherein both the source identifier and the destination identifier differ from the displayed identifier. However see rejection of claim 1 above and 10 below.

Ditmer also does not disclose displaying existing switch identifiers. However, the frame relay document discloses displaying all identifiers associated with a port [see pgs. 5-6, "Getting the DLCI list with show arp" : where the show arp command can be used to obtain a DLCI list that contains all DLCI values for a specific frame relay interface]. It would have been obvious to one of ordinary skill in the art to incorporate the frame relay document's commands into Ditmer's remote management system to enable a user to properly diagnose and fix frame relay problems associated with his PVC by obtaining a DLCI list.

22> Regarding claims 14-15, Ditmer discloses, means for connecting using client-server architecture, (Fig. 2, 12-13; Col.2, lines 9-67).

23> As to claim 16, see rejection of claim 16 above, section 14 and rejection of claim 13, section 21.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Saitoh et al, U.S Patent No. 5.815.495.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dohm Chankong whose telephone number is 571.272.3942. The examiner can normally be reached on Tuesday-Friday [7:30 AM to 4:30 PM].

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on 571.272.3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DC

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